

12-17-01

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Please type plus sign inside this box + PTO/SB/05(03/01) Approved for use through 10/31/2002 OMB 0651-0032 +

# UTILITY PATENT APPLICATION TRANSMITTAL

Only for new nonprovisional applications under 37 1.53(b))

Attorney Docket No.	04645.1002
First Inventor	Muffoletto et al.
Title	Electrochemical Cell Having A Physical
Express Mail Label No.	EF380105805US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, D.C. 20231

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See CFR 1.27.
3. ☒ Specification [Total Pages / 21]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☐ Drawing(s) (35 USC 113) [Total Sheets / ]
5. ☒ Oath or Declaration [Total Pages / 3 / ]
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
  - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. ☐ Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure ☒ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. ☒ Other: Checks for \$844.00 and \$40.00

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of the prior application No: 09/498,667  
Prior application information: Examiner: A Dinkins Group/Art Unit: 2831  
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label		(Insert Customer No. or Attach bar code label here)		OR <input checked="" type="checkbox"/> Correspondence address below	
NAME		Michael F. Scalise			
		Hodgson Russ LLP			
ADDRESS		One M&T Plaza, Suite 2000			
CITY	Buffalo	STATE	New York	ZIP CODE	14203-2391
COUNTRY	United States of America	TELEPHONE	(716) 856-4000	FAX	(716) 849-0349
Name (Print/Type)	Michael F. Scalise	Registration No. (Attorney/Agent)	34,920		
Signature	<i>Michael F. Scalise</i>	Date	December 12, 2001		

"Express Mail" Mailing Label Number EF380105805US

Date of Deposit December 12, 2001

I hereby Certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202.

Barbara Haggerty

Name

Signature


BFLODOCS:632942

# FEE TRANSMITTAL for FY 2002

*Patent Fees are subject to annual revision*

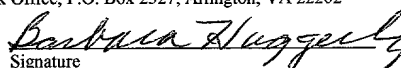
<b>FEE TRANSMITTAL for FY 2002</b>  <i>Patent Fees are subject to annual revision</i>		Application Number					
		Filing Date		12/12/2001			
		First Named Inventor		Muffoletto et al			
		Examiner Name					
		Group/Art Unit					
TOTAL AMOUNT OF PAYMENT		(\$924.00)		Attorney Docket Number		04645 1002	

1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to.			3. ADDITIONAL FEES						
Deposit Account Number: <u>08-2442</u> Deposit Account Name: Hodgson Russ LLP			Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17			105	130	205	65	Surcharge - late filing fee or oath	\$	
<input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27.			127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$	
2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other			139	130	139	130	Non-English specification	\$	
<b>FEE CALCULATION</b>			147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	\$	
<b>1. BASIC FILING FEE</b> Large Entity   Small Entity Fee   Fee   Fee   Fee Code (\$ )   Code (\$ )   Fee Description   Fee Paid			112	920*	112	920*	Requesting Publication of SIR prior to Examiner Action	\$	
			113	1,840*	113	1,840*	Requesting Publication of SIR after Examiner Action	\$	
101 740 201 370 Utility filing fee			\$740	115	110	215	55	Extension for reply within first month	\$
106 330 206 165 Design filing fee			\$	116	400	216	200	Extension for reply within second month	\$
107 510 207 255 Plant filing fee			\$	117	920	217	460	Extension for reply within third month	\$
108 740 208 370 Reissue filing fee			\$	118	1,440	218	720	Extension for reply within fourth month	\$
114 160 214 80 Provisional filing fee			\$	128	1,960	228	980	Extension for reply within fifth month	\$
<b>SUBTOTAL (1)</b>			\$740	119	320	219	160	Notice of Appeal	\$
<b>2. EXTRA CLAIM FEES</b> Extra Fee from Claims below   Fee Paid			120	320	220	160	Filing a brief in support of an appeal	\$	
Total Claims   / 28 / -20** = / 8 / x / 18 / =			\$144	121	280	221	140	Request for oral hearing	\$
Independent Claims   / 3 / - 3** = / 0 / x / 84 / =			\$0	138	1,510	138	1,510	Petition to institute a public use proceeding	\$
Multiple dependent   / / x / / =			\$	140	110	240	55	Petition to revive - unavoidable	\$
Large Entity   Small Entity Fee   Fee   Fee   Fee Code (\$ )   Code (\$ )   Fee Description			141	1,280	241	640	Petition to revive - unintentional	\$	
			142	1,280	242	640	10 advance copies Utility issue fee (or reissue)	\$	
103 18 203 9 Claims in excess of 20			143	460	243	230	Design issue fee	\$	
102 84 202 42 Independent claims in excess of 3			144	620	244	310	Plant issue fee	\$	
104 280 204 140 Multiple dependent claim if not paid			122	130	122	130	Petitions to the Commissioner	\$	
109 84 209 42 **Reissue independent claims over original patent			123	50	123	50	Processing fee under 37 CFR 1.17(g)	\$	
110 18 210 9 **Reissue claims in excess of 20 and over original patent			126	180	126	180	Submission of Information Disclosure Statement	\$	
<b>SUBTOTAL (2)</b>			\$144	581	40	581	40	Recording each patent assignment per property (times number of properties)	\$40
SIGNATURE: 			146	740	246	370	Filing a submission after final rejection(37 CFR 1.129(a))	\$	
Michael F. Scalise   Reg. No. 34,920			149	740	249	370	For each add'l invention to be examined(37 CFR 1.129(b))	\$	
DATE: December 12, 2001   Telephone: (716) 848-1258			179	740	279	370	Request For Continued Examination (RCE)	\$	
<b>"Express Mail" Mailing Label Number: EF380105805US</b>			169	900	169	900	Request for Expedited Examination of a design appln.	\$	
<b>Date of Deposit: December 12, 2001</b>			*Reduced by basic filing fee paid				<b>SUBTOTAL (3)</b>	\$40	

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Barbara Haggerty  
Name

  
Signature

December 12, 2001  
Date of Signature

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